

This record is a partial extract of the original cable. The full text of the original cable is not available.

C O N F I D E N T I A L SECTION 01 OF 02 KABUL 000418

SIPDIS

DEPT FOR SA/FO AMBASSADOR QUINN, S/CT, SA/A, AND EUR/RPM  
NSC FOR AHARRIMAN, KAMEND  
CENTCOM FOR POLAD, CG CFA-A, CG CJTF-76

E.O. 12958: DECL: 01/10/2015

TAGS: KAWC MOPS PREL AF

SUBJECT: AFGHAN DETAINEE TRANSFER TEAM READY TO TRAVEL TO GUANTANAMO IN FEBRUARY

REF: KABUL 235

Classified By: CHARGE RICHARD NORLAND FOR REASONS 1.4 (B) AND (D)

¶11. (U) THIS CABLE CONTAINS ACTION REQUESTS: SEE PARAGRAPHS 4 AND 5 BELOW.

¶12. (C) THE INFORMAL KABUL DETAINEE AFFAIRS WORKING GROUP MET ON JANUARY 26, ATTENDED BY CFC-A, OSC-A, DOS (INCLUDING VISITING WASHINGTON DESK OFFICER), AND DOJ (ARG) REPRESENTATIVES. IT WAS AGREED THAT THE TOP PRIORITY TO MOVE THE TRANSFER PROCESS FORWARD WAS THE PROVISION OF THE LEGAL FRAMEWORK NON-PAPER TO THE AFGHAN INTER-MINISTERIAL GROUP AT LEAST TWO WEEKS PRIOR TO THEIR VISIT TO GUANTANAMO.

¶13. (C) AFGHAN EXPERTS ARE PREPARED TO TRAVEL TO GUANTANAMO TO BEGIN THE FIRST STEPS IN EVALUATING AFGHAN DETAINEES FOR POSSIBLE TRANSFER TO GOA CUSTODY. TENTATIVE TRAVEL DATE IS FEBRUARY 24.

¶14. (C) CRITICAL TO THE SUCCESS OF THIS VISIT IS THE TIMELY DELIVERY OF THE LEGAL FRAMEWORK/POLICY GUIDANCE NON-PAPER WHICH IS CURRENTLY BEING PREPARED BY DOS, AND BEING CLEARED THROUGH THE WASHINGTON INTERAGENCY PROCESS. THIS NON-PAPER MUST BE MADE AVAILABLE TO THE AFGHAN TEAM TWO WEEKS BEFORE THEY DEPART. IN OTHER WORDS, THE NON-PAPER SHOULD BE DELIVERED BY FEBRUARY 10, IF THE TRAVEL DATE REMAINS FEBRUARY 24, 2006. WITHOUT THIS LEGAL FRAMEWORK TO PROVIDE A BASIS TO GUIDE THEM IN THEIR EVALUATION OF DETAINEES, THE VETTING DECISIONS MADE BY THE GROUP COULD BE CALLED INTO QUESTION. IN FACT, DR. SABIT, THE PRIMARY LEGAL EXPERT ON THE GROUP, HAS SAID HE WILL NOT UNDERTAKE THE TRIP WITHOUT THIS PAPER IN HAND. WE REQUEST THAT CONCERNED WASHINGTON AGENCIES RAPIDLY VET AND SEND TO POST THE LEGAL FRAMEWORK NON-PAPER.

¶15. (C) FINALLY, IN ORDER FOR THE TRIP TO BE AS PRODUCTIVE AS POSSIBLE, WE ALSO REQUEST THAT CENTCOM AUTHORIZE THE RELEASE OF DETAINEE RECORDS TO THE AFGHAN TEAM AS SOON AS POSSIBLE SO THAT VETTING CAN BEGIN PRIOR TO THE TRIP.

¶16. (C) WE HAVE HEARD INFORMALLY THAT DOD WILL FUND THE TRIP; VERY ROUGH ESTIMATES PUT THE COST OF A 5-6 DAY VISIT TO GUANTANAMO (WITH NO WASHINGTON LEG, ALTHOUGH EMBASSY CONTINUES TO BELIEVE THAT WASHINGTON CONSULTATIONS EN ROUTE MAY HAVE VALUE) AT USD 15,000. WE UNDERSTAND THAT THE USD 16.9 MILLION IN AFSA MONEY FOR THE RENOVATION OF BLOCK FOUR OF POL-E-CHARKHI IS AT THE NSC WAITING FOR THE PRESIDENT'S SIGNATURE, WITH A TARGET DATE FOR RELEASE OF FUNDS OF FEBRUARY 15, WHICH COULD PUSH THE COMPLETION DATE OF THE FACILITY TO APRIL/MAY 2007. THE USD 9 MILLION IN ASFF (SUPPLEMENTAL) MONEY IS BEING PREPARED FOR CONGRESSIONAL NOTIFICATION, WITH A TARGET DATE FOR RELEASE OF FUNDS BETWEEN FEBRUARY 4-7.

¶18. (C) WE RECEIVED VISA APPLICATIONS FOR THE INTER-MINISTERIAL TEAM ON JANUARY 28, AND THE NAMES AND DATA ARE LISTED BELOW. THERE HAS BEEN ONE MODIFICATION FROM THE ORIGINAL LIST SENT IN OCTOBER: THE NSC REPRESENTATIVE HAS BEEN CHANGED FROM ENGINEER DAUD (WHO WAS RECENTLY APPOINTED GOVERNOR OF HELMAND PROVINCE) TO AHMAD JAMIL BAHRAMI. WE UNDERSTAND THAT THERE MAY BE A SIXTY-DAY ADVANCE NOTICE REQUIREMENT IN ORDER TO VISIT THE FACILITY, UNLESS EXPEDITED APPROVAL CAN BE ACCOMPLISHED TO ENABLE MR. BAHRAMI TO PARTICIPATE IN THE TRIP. THE SUPREME COURT HAS INDICATED THAT IT WILL NOT SEND A REPRESENTATIVE; MEMBERS OF THE INFORMAL DETAINEE WORKING GROUP DO NOT BELIEVE THIS OMISSION WILL SIGNIFICANTLY IMPACT THE SUCCESS OF THE MISSION.

NATIONAL SECURITY COUNCIL (VICE ENGINEER DAUD ON THE ORIGINAL LIST)

BAHRAMI, AHMAD JAMIL  
DOB: NOVEMBER 21, 1973  
POB: WARDAK, AFGHANISTAN  
PP#: SE 036794

MINISTRY OF THE INTERIOR  
SABIT, ABDUL JABAR  
DOB: APRIL 15, 1945  
POB: SUKHOOL, NANGARHAR, AFGHANISTAN  
PP#: SE 029935

NATIONAL SECURITY DEPARTMENT

MODAFI, ABDUL JALIL

DOB: JUNE 16, 1955

POB: TAKHAR, AFGHANISTAN

PP#: SE 033643

MINISTRY OF DEFENSE

ATTAEE, SAYED KHALILULLAH

DOB: APRIL 15, 1952

POB: PANJSHIR, AFGHANISTAN

PP#: SE 029100

ATTORNEY GENERAL'S OFFICE

FAGERYAR, FAZEL AHMAD

DOB: OCTOBER 14, 1938

POB: HERAT, AFGHANISTAN

PP#: SE 017169

MINISTRY OF JUSTICE

BAKHSHI, ABDUL SALAM

DOB: AUGUST 3, 1958

POB: PANSHIR, AFGHANISTAN

PP#: D 003080

NORLAND